

# In the United States Court of Federal Claims

## OFFICE OF SPECIAL MASTERS

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CHRISTOPHER JONES,	*
	*
Petitioner,	* No. 12-466V
	*
	* Special Master Christian J. Moran
	*
v.	* Filed: February 16, 2016
	*
SECRETARY OF HEALTH	* Attorneys' fees and costs; award
AND HUMAN SERVICES,	*
	* in the amount to which
	* respondent does not object.
Respondent.	*

\* \* \* \* \*

Mark Sadaka, Sadaka Associates LLC, Englewood, NJ, for petitioner;  
Jennifer Reynaud, United States Dep't of Justice, Washington, D.C., for  
respondent.

## UNPUBLISHED DECISION ON FEES AND COSTS<sup>1</sup>

On February 5, 2016, petitioner filed a stipulation of fact for attorneys' fees and costs. Previously, petitioner informally submitted a draft application for attorneys' fees and costs to respondent for review. Upon review of petitioner's application, respondent raised objections to certain aspects of the draft application. Based on subsequent discussions, petitioner amended his application to request \$75,000.00, an amount to which respondent does not object. The Court awards this amount.

On July 25, 2012, Christopher Jones filed a petition for compensation alleging that the influenza ("flu") vaccine he received on September 30, 2010, caused him to suffer chronic inflammatory demyelinating polyneuropathy ("CIDP"). Petitioner received compensation based upon the parties' stipulation.

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<sup>1</sup> The E-Government Act, 44 U.S.C. § 3501 note (2012) (Federal Management and Promotion of Electronic Government Services), requires that the Court post this decision on its website. Pursuant to Vaccine Rule 18(b), the parties have 14 days to file a motion proposing redaction of medical information or other information described in 42 U.S.C. § 300aa-12(d)(4). Any redactions ordered by the special master will appear in the document posted on the website.

Decision, issued August 7, 2015. Because petitioner received compensation, he is entitled to an award of attorneys' fees and costs. 42 U.S.C. § 300aa-15(e).

Petitioner seeks a total of **\$75,000.00**, in attorneys' fees and costs for his counsel. Additionally, in compliance with General Order No. 9, petitioner states that he incurred **\$300.76**, in out-of-pocket litigation expenses while pursuing this claim. Respondent has no objection to the amount requested for attorneys' fees and costs.

After reviewing the request, the Court awards the following:

- a. A lump sum of \$75,000.00, in the form of a check made payable to petitioner and petitioner's attorney, Mark T. Sadaka, of Sadaka Associates LLC, for attorneys' fees and other litigation costs available under 42 U.S.C. § 300aa-15(e).**
- b. A lump sum of \$300.76, payable to petitioner, Christopher Jones, for costs incurred in pursuit of his petition.**

The Court thanks the parties for their cooperative efforts in resolving this matter. The Clerk shall enter judgment accordingly.

Any questions may be directed to my law clerk, Dan Hoffman, at (202) 357-6360.

**IT IS SO ORDERED.**

s/Christian J. Moran  
Christian J. Moran  
Special Master

1 IN THE UNITED STATES COURT OF FEDERAL CLAIMS  
2 OFFICE OF THE SPECIAL MASTERS

3  
4 CHRISTOPHER JONES,

5 Petitioner,

Case No.: 12-466V

6 v.

7 SECRETARY OF THE DEPARTMENT OF  
8 HEALTH AND HUMAN SERVICES,

9 Respondent.

10  
11 SPECIAL MASTER CHRISTIAN J.  
12 MORAN

13 **STIPULATION OF FACT CONCERNING ATTORNEYS' FEES AND COSTS**

14 It is hereby stipulated by and between the parties, the following factual matters:

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- 16 1. Mark T. Sadaka is the attorney of record for petitioner in this matter.
- 17 2. Petitioner forwarded a draft final Application for Attorneys' Fees and Costs ("Application") to respondent. In informal discussions, respondent raised objections to certain aspects of petitioner's Application. Based on these discussions, petitioner has amended her Application in this matter to request reimbursement for attorneys' fees and costs in the amount of **\$75,000.00**, to which respondent does not object.
- 18 3. Pursuant to General Order #9, petitioner represents to respondent that he incurred **\$300.76** in reimbursable costs in pursuit of his claim.
- 19 4. The parties now request that a decision awarding final attorneys' fees and costs, in the amount of **\$75,000.00** payable jointly to petitioner and petitioner's counsel, be issued. The parties also request a decision awarding **\$300.76** payable to Christopher Jones.
- 20 5. This Stipulation does not represent an agreement by respondent to the hourly rates of the professionals who worked on this matter, nor may a waiver of any objections that respondent bring in other cases.

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2 Respectfully submitted,  
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4 s/MARK T. SADAKA  
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6 MARK T. SADAKA  
7 Counsel for Petitioner  
8 SADAKA ASSOCIATES LLC  
9 155 North Dean Street, 4<sup>th</sup> Floor  
10 Englewood, NJ 07631

11 s/JENNIFER L. REYNAUD, ESQ.  
12

13 JENNIFER L. REYNAUD, ESQ.  
14 Trial Attorney  
15 Torts Branch, Civil Division  
16 U.S. Department of Justice  
17 P.O. Box 146  
18 Ben Franklin Station  
19 Washington, D.C. 20044-0146

20 DATED: February 4, 2016  
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